

UNITED STATES DISTRICT COURT

for the

Western District of VirginiaCLERK'S OFFICE U.S. DIST. COURT
AT LYNCHBURG, VA

FILED

MAY 06 2008

JOHN F. CORCORAN, CLERK
BY: *J. Jarabe*
DEPUTY CLERK

United States of America)

v.)

ANTHONY JERMAINE WASHINGTON)

Date of Previous Judgment: September 9, 2005)

(Use Date of Last Amended Judgment if Applicable))

Case No: 4:03cr70134-009USM No: 11292-084

Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☐ the defendant ☐ the Director of the Bureau of Prisons ☒ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 84 months **is reduced to** 67 months.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)Previous Offense Level: 27Amended Offense Level: 25Criminal History Category: IICriminal History Category: IIPrevious Guideline Range: 78 to 97 monthsAmended Guideline Range: 63 to 78 months**II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE**

- ☒ The reduced sentence is within the amended guideline range.
☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
☐ Other (explain):

III. ADDITIONAL COMMENTS

The Government has objected to a reduction based on aspects of Defendant's pre- and post-sentencing conduct. Finding that the pre-sentencing conduct is adequately accounted for under the amended guideline range and that the post-sentencing conduct is adequately addressed by Bureau of Prisons procedures, and upon consideration of the factors set forth in 18 U.S.C. § 3553(a) and U.S.S.G. § 1B1.10, the Government's objections are overruled and Defendant's sentence is reduced as provided above.

Except as provided above, all provisions of the judgment dated 9/9/2005 shall remain in effect.

IT IS SO ORDERED.Order Date: May 6, 2008

Norman K. Moon
 Judge's signature

Effective Date: May 16, 2008
 (if different from order date)

Norman K. Moon, United States District Judge
 Printed name and title